

**REMARKS**

5 The applicants appreciate the careful examination the Examiner has given to this application and believe the claims as amended will satisfy the Examiner's concerns.

10 Claim 6 has been amended to formulate the invention more precisely. Namely, the amended claim 6 now specifically states that only one dither tone is modulated onto the optical channel at any given time, and said dither tones are modulated in a cyclically repeated sequence and with a predetermined periodicity, wherein each dither tone in said alternating selection of dither tones is modulated onto the optical channel during its respective predetermined time interval.

15 As discussed in the Applicant's previous response to the 1st office Action, the alternating modulation of dither tones in a cyclically repeated sequence and with a predetermined periodicity, when each dither tone is modulated during its respective time interval, provides an improvement in reducing an undesirable eye closure caused by the simultaneous modulation of a plurality of dither tones onto an optical channel, which is important for the robust detection of high speed data signals carried by optical channels.

20 25 Neither Pederson, nor Pederson in combination with Huber, is concerned with the problem of limiting eye closure and robust identification of optical channels in an optical network, and neither Pederson, nor Pederson in combination with Huber can provide a solution to this problem because, even being combined, these references lack features specified in the amended claim 6.

30 In view of the above amendments and arguments, the Applicant requests the Examiner to favourably reconsider the amended claim 6 in view of an allowance.

Claims 7, 8 and 9 depend on claim 6, and assuming that claim 6 is allowable, these claims should be also allowable.

The Commissioner is hereby authorized to deduct any prescribed fees for these amendments, if required, from our Company's **Deposit Account No. 501832**.

5                   Yours truly,

Ping Wan

10                  By:   
Victoria Donnelly, Ph.D.  
Patent Agent  
Reg. No. 44,185

15                  TROPIC NETWORKS INC.,  
Intellectual Property Department  
135 Michael Cowpland Drive  
Kanata, Ontario, Canada.  
K2M 2E9

20                  Telephone: (613) 270-6026  
FAX: (613) 270-9663  
E-mail: [Victoria.Donnelly@tropicnetworks.com](mailto:Victoria.Donnelly@tropicnetworks.com)

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35                  Telephone: 703-308-0906

40                    
Omayma E. Moharram, Ph.D., P.Eng.  
Patent Engineer,  
TROPIC NETWORKS INC.,  
Intellectual Property Department

135 Michael Cowpland Drive  
Kanata, Ontario, Canada.  
K2M 2E9

5      Telephone: (613) 270-6942  
          FAX:        (613) 270-9663  
          E-mail: Omayma.Moharram@tropicnetworks.com